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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/625,647

07/26/2000

Shashi Ramamurthy

411951-185

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12/16/2003

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EXAMINER

YANG, CLARA I

ART UNIT

PAPER NUMBER

2635

DATE MAILED: 12/16/2003

12

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/625,647

Applicant(s)

RAMAMURTHY ET AL.

Examiner

Clara Yang

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-4, 8-14 and 16-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2-4, 8-14 and 16-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.
2. Applicant's arguments filed on 17 November 2003, with respect to the rejection(s) of claim(s) 2 - 4, 8 - 11, and 16 - 23 under 35 U.S.C. 102(e) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of UK Patent Application GB 2,327,565A.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 11 is rejected because it is incomplete due to missing elements as a result from being dependent on itself. The Examiner's interprets that Claim 11 is dependent on Claim 10. It is necessary for the Applicant to submit a copy of the correction in reply to the Office Action.
- Claim Rejections - 35 USC § 102*

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 2, 3, 8, 9, and 16 - 23 are rejected under 35 U.S.C. 102(b) as being anticipated by UK Patent Application GB 2,327,565A (Byford).

Referring to Claims 2, 3, 8, and 9, Byford teaches a data communication network, as shown in Fig. 1, having (a) base station server 50 and World Wide Web (WWW) servers 20 - 40 having a plurality of application programs (see Figs. 2 and 3; page 4, lines 14 - 40; and page 5, lines 1 - 22) and (b) user terminals 70 - 90 or client computers. Byford's user terminals 70 - 90 are connected to base station server 50 via wireless network 60 and communicate with tags 100 - 130 via RF communication links (see page 4, lines 9 - 10); hence user terminals 70 - 90 are also understood to be (c) RFID readers. Per Byford, each of user terminals 70 - 90 (see Fig. 4) comprises: (d) a tag reader 450 or radio module having an RF transmitter and a directional antenna; (e) central processing unit (CPU) 400 or processor that is connected to tag reader 450; and (f) a read-only memory (ROM) 420 having basic input-output system (BIOS) software for enabling data communications between CPU 400 and tag reader 450, operating system software, and application software. (See page 5, lines 23 - 39.) Byford imparts that application software or program instructions includes communication software for (g) reading or detecting data, such as the universal resource locator (URL) of a destination system, stored in tags 100 - 130 and (h) communicating the data read from tags 100 - 130 to a destination system via base station 50 (see Fig. 6, steps 610 - 630; page 2, lines 20 - 37; and page 6, lines 3 - 7, 14 - 15, and 35 - 41). Referring to Fig. 6, per Byford, after tag reader 450 receives the URL from an interrogated tag at step 610, CPU 400 activates a web browser and inputs the received URL at step 620. At step 630, the web browser instructs CPU 400 to communicate the received URL to the base station 50 via wireless data link 430. (See page 6, lines 35 - 39.) Byford states that the client-server interaction (i.e., user terminal - base station 50 interaction) is performed in accordance with hypertext transfer protocol (HTTP), which is indicated by the URL stored on the tag (see page 1, lines 28 - 29).

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Referring to Claim 16, Byford's method, as shown in Fig. 6, comprises: (a) interrogating a tag at step 600; (b) receiving the URL or address of a destination system stored in a tag's memory at step 610; and (c) communicating the URL to the destination system via base station 50 at step 630. (See page 6, lines 23 - 41 and page 7, lines 1 - 6.)

Regarding Claim 17, URLs include up to four parts: a protocol, a domain name, a path, and a filename. Byford states that the user terminal - base station 50 interaction is performed in accordance with HTTP (see page 1, lines 28 - 29), which is indicated by the URL stored on the tag.

Regarding Claim 18, Byford imparts that upon receiving a URL from an interrogated tag, CPU 400 activates a web browser or software application and inputs the received URL. Consequently, the received URL defines the software application that is to be used for processing the URL. The web browser instructs CPU 400 to communicate the received URL to base station 50. (See page 6, lines 37 - 39.)

Regarding Claims 19 and 20, a URL is a textual address that is translated into the correlating Internet Protocol (IP) address via a domain name server; therefore RFID tag's URL comprises (1) Port Number 80 to indicate the use of HTTP and (2) an IP address of a TCP/IP protocol.

Referring to Claim 21, as shown in Fig. 5, each of Byford's tags 100 - 130 comprises (a) data store 500 or memory, (b) logic 510, (c) transceiver 520, and (d) bus architecture 530. Per Byford, data store 500 contains a URL identifying one of the WWW pages stored on WWW servers 20 - 40. (See page 6, lines 11 - 15.) Here it is understood that the file name of the desired WWW page is indicated by data values. Byford states that the user terminal - base

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station 50 interaction is performed in accordance with HTTP (see page 1, lines 28 – 29), which is indicated by the URL stored on the tag.

Regarding Claims 22 and 23, a URL is a textual address that is translated into the correlating Internet Protocol (IP) address via a domain name server; therefore RFID tag's URL comprises (1) Port Number 80 to indicate the use of HTTP and (2) an IP address of a TCP/IP protocol.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

9. Claims 4 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over UK Patent Application GB 2,327,565A (Byford) as applied to claims 2 and 9 above, and further in view of U.S. Patent No. 6,400,272 (Holtzman et al.).

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Regarding Claims 4 and 10, Byford teaches that CPU 400 of the user terminal instructs tag reader 450 to use an interrogation signal upon a user's selection of an acquire action (see page 6, lines 19 - 25). Byford omits teaching that CPU 400's program instructions include periodically transmitting an interrogation signal.

In an analogous art, Holtzman discloses an RFID reader 15, as shown in Figs. 1, 2, and 5, comprising: (a) transceiver 118 or radio module; (b) microcontroller 112 or processor connected to transceiver 118 for providing transmit and receive commands to transceiver 118 (see Col. 7, lines 48 - 67; Col. 8, lines 1 - 67; and Col. 9, lines 1 - 42); and (c) computer 10 with main memory 54 for storing program instructions (see Col. 4, lines 15 - 17 and 33 - 35). Holtzman teaches that RFID reader 15's program instructions include: (d) detecting data received from at least one token 20 or RFID tag (see Col. 3, lines 14 - 25; Col. 7, lines 59 - 67; and Col. 8, lines 1 - 4); (e) determining the processing information and destination address from the data transmitted by token 20 (see Col. 3, lines 57 - 67 and Col. 4, lines 1 - 12); and (f) communicating information to servers 30a - 30c or external systems in accordance with the detected destination address and proper protocol (see Col. 3, lines 57 - 67; Col. 4, lines 1 - 12). Per Holtzman, the program instructions for RFID reader 15 further include periodically transmitting an interrogation signal to communicate with RFID tags (see Col. 9, lines 8 - 12).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the program instructions of Byford's CPU 400 as taught by Holtzman because periodic interrogation eliminates a user having to manually select the interrogation action, thereby enhancing the functionality and user-friendliness of user terminals 70 - 90.

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10. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over UK Patent Application GB 2,327,565A (Byford) as applied to claim 9 above, and further in view of U.S. Patent No. 5,903,729 (Reber et al.).

Byford's base station 50 has application software that enables it to communicate with WWW servers 20 - 40 and user terminals 70 - 90 (see page 4, lines 36 - 41). Byford, however, is silent on base station 50's application software including an email program for sending an email message to a destination computer system that is identified by the URL stored on a tag.

In an analogous art, Reber teaches a system for linking to at least one resource in an electronic network 10. Reber's system, as shown in Fig. 1, comprises: (a) network access apparatus 20 or client computer connected to electronic network 10, which includes the Internet, the World Wide Web, or an intranet; (b) data reader 36; and (c) network navigation device 12. Per Reber, navigation device 12 includes data items 16 and 18, each data item having an electronic address to identify its corresponding resource (i.e., "destination computer system"). The electronic address is at least a URL or an IP address. (See Col. 4, lines 4 - 20.) Reber then adds that URL protocols include "mailto:" for sending an email message and that navigation device 12 can be used for automatically sending an email message (see Col. 4, lines 25 - 35). In order for network access apparatus 20 to send an email to a destination system specified by the URL, electronic network 10's server must have at least an email program.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Byford's base station 50 as taught by Reber because a base station 50 having an email program enables the URL protocol "mailto:" to be used in addition to the "http:" protocol, thereby improving the functionality and convenience of the system.

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11. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over UK Patent Application GB 2,327,565A (Byford) and U.S. Patent No. 5,903,729 (Reber et al.) as applied to claim 11 above, and further in view of U.S. Patent No. 5,869,819 (Knowles et al.).

Byford and Reber omit teaching sending an email message that identifies the time and/or date when a tag is read by one of user terminals 70 - 90.

In an analogous art, Knowles teaches an Internet-based system for tracking objects bearing URL-encoded bar code symbols. As shown in Fig. 10 by Knowles, the system includes: (a) Routing, Tracking, and Delivery (RTD) servers 51; and (b) a plurality of client computers (package log-in/shipping subsystems 52, package routing subsystems 53, and portable package delivery computers 54) connected to RTD servers 51 via Internet 1 (see Col. 18, lines 29 - 54). Per Knowles, each of package routing subsystem 53 and portable package delivery (PPD) computers 54 has means for reading a URL-encoded bar code symbol (see Fig. 15, symbol reader 53A; Col. 20, lines 49 - 52; and Col. 21, lines 10 - 16). Knowles states that each package being tracked by the RTD system has a database record containing a URL that is assigned to each package at which a static information storage location resides on a web page on RTD Internet server 51. As shown in Fig. 13B, each package's database record includes a time/date of location field 55L for storing information on the time and date of the tracked location of the package within the RTD system (see Col. 19, lines 56 - 60). Per Knowles, as each package is transported through the RTD system, it is moved through one or more package routing subsystems 53, at which each package is scanned by bar code symbol reader 53A. A package routing/tracking procedure is automatically carried out, wherein the process includes the step of using the URL on a package to access the RTD Internet server 51 and update the package's location (see Fig. 16 and Col. 22, lines 11 - 28). Here it is understood that the a time/date of

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location field 55L for each scanned package is also updated, thereby identifying the time and date when a bar code symbol reader 53A reads a package's URL.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the email message of Byford and Reber as taught by Knowles because an email message indicating the date and time when a user terminal communicates with a tag provides destination systems with means for tracking the frequency of web page requests.

12. Claims 13 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over UK Patent Application GB 2,327,565A (Byford) as applied to claim 9 above, and further in view of U.S. Patent No. 5,869,819 (Knowles et al.).

Regarding Claims 13 and 14, each of Byford's WWW servers 20 - 40 comprises BIOS software, operating system software, and application software, which includes a website hosting program for enabling web pages to be stored in mass storage device 360 (see page 5, lines 13 - 22 and page 6, lines 2 - 3). These web pages, as explained in claim 9, are accessed by URLs stored on RFID tags. Byford, however, fails to teach using the website hosting program to post information on a website regarding a tag's information and for using the URL stored on a tag to access the posted information.

Knowles imparts that RTD Internet server 51 has HTTP server software, which is understood to be a website hosting program (see Col. 19, lines 9 - 16). Per Knowles, each package is assigned a URL at which a static information storage location resides on a web page on RTD Internet server 51 (see Col. 19, lines 33 - 36). Here it is understood that each package's database record on RTD Internet server 51 is information regarding its corresponding URL bar code. The web-based information for each package can be accessed by providing a URL to

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package log-in/shipping computer 52, PPD computer 54, and/or any Internet browser program that is authorized to access the information fields within RTD Internet Server 51 (see Col. 19, lines 66 - 67 and Col. 20, lines 1 - 10 and 31 - 37).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Byford's WWW servers 20 - 40 as taught by Knowles because posting each tag's information on a website such that it can be accessed by a computer system specified by a URL enables a user to easily and access and update the information as needed, thus making the system flexible and dynamic (see Knowles, Col. 2, lines 27 - 33).

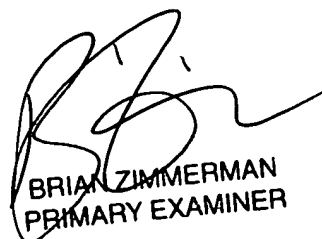
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clara Yang whose telephone number is (703) 305-4086. The examiner can normally be reached on 8:30 AM - 7:00 PM, Monday - Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Horabik can be reached on (703) 305-4704. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

CY
11 December 2003


BRIAN ZIMMERMAN
PRIMARY EXAMINER